

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

COREY DURRETT,)	
)	
Plaintiff,)	Civil Action No. 10-1513
)	
v.)	Judge Fischer/
)	Magistrate Judge Bissoon
RAMON RUSTIN, Warden ACJ; DANA)	
PHILLIPS, Health Care Director; Doctor)	
PATTERSON, Head Doctor; ALLEGHENY)	
CORRECTIONAL HEALTH SERVICES; JOHN)	
or JANE DOE, et al., Nurse; and ALLEGHENY)	
COUNTY JAIL,)	
)	
Defendants.)	

MEMORANDUM ORDER

The above-captioned *pro se* prisoner civil rights action was received by the Clerk of Court on November 12, 2010, and was referred to Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Civil Rules 72.C and D.

Magistrate Judge Bissoon's Report and Recommendation, ECF No. [9], filed on February 9, 2011, recommended that the case be dismissed due to Plaintiff's failure to prosecute and/or obey court orders. The Report noted that Plaintiff failed to obey two court orders. One order required Plaintiff to provide proper instructions, and U.S. Marshal 285 Forms for service upon Defendants along with a completed notice and waiver of summons for each Defendant and a copy of the complaint for each Defendant. The second order was an order to show cause why the case should not be dismissed due to Plaintiff's failure to provide the required documents as ordered. Plaintiff failed to respond to the order to show cause. Service of the Report was made on the Plaintiff at his address of record. Plaintiff was informed that, in accordance with the

Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and the local rules, he had a specific period of time in which to file his objections. Plaintiff filed no objections.

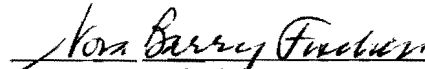
Instead, Plaintiff filed a motion for appointment of counsel along with a motion for extension of time. ECF No. [10]. The motion for appointment of counsel was denied, but Plaintiff was granted an extension of time in which to supply the Court with the necessary service instructions and forms and copies of the complaint. ECF No. [11] The Court gave Plaintiff until April 15, 2011 to supply the required documents. To this day, Plaintiff has still not supplied the required documents.

Accordingly, after *de novo* review of the pleadings and the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 31st day of May, 2011,

IT IS HEREBY ORDERED that the case is dismissed with prejudice for Plaintiff's failure to obey a court order/prosecute.

IT IS FURTHER ORDERED that the Report and Recommendation, ECF No. [9], filed on February 9, 2011, by Magistrate Judge Bissoon, is adopted as the opinion of the Court. The Clerk is to mark the case closed.


Nora Barry Fischer
United States District Judge

cc:

COREY DURRETT
-#88970
Allegheny County Jail
950 Second Avenue
Pittsburgh, PA 15219